

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIEL MARINO, :
 Plaintiff, :
 v. : **Civ. No. 11-6811**
 USHER, et al., :
 Defendants. :

ORDER

AND NOW, this 21st day of May, 2014, as set forth in the accompanying Memorandum, upon consideration of Defendants' Motions for Summary Judgment (Doc. Nos. 102, 103), Plaintiff's Opposition (Doc. No. 109), and all related submissions, it is hereby **ORDERED** that:

1. The Motion for Summary Judgment (Doc. No. 102) filed by Bobby Ross Avila, Jr., Issiah Avila, Jr., Bystorm Entertainment, Defenders of Music, EMI April Music, Inc., EMI Blackwood Music, Inc., Flyte Tyme Tunes, James Samuel Harris, III, Terry Steven Lewis, Mark Pitts, Sony Music Entertainment, Sublime Basement Tunez, UR-IV Music, INC., Usher Terry Raymond IV, and Warner Tamerlane Corp. is **GRANTED**.
2. The Motion for Joinder in Summary Judgment (Doc. No. 103) filed by IN2N Entertainment Group, Inc. is **GRANTED**.
3. Summary judgment is entered in favor of moving Defendants and against Plaintiff as to Counts I and III.
4. Judgment is entered in favor of Bobby Ross Avila, Jr., Issiah Avila, Jr., Bystorm Entertainment, Defenders of Music, EMI April Music, Inc., EMI Blackwood Music, Inc., Flyte Tyme Tunes, James Samuel Harris, III, Terry Steven Lewis, Mark Pitts, Sony Music Entertainment, Sublime Basement Tunez, UR-IV Music, INC., Usher Terry Raymond IV, Warner Tamerlane Corp., and IN2N Entertainment Group, Inc. and against Plaintiff as to all

Plaintiff's claims against them.

5. Pursuant to Rule 56(f), Plaintiff is advised that I am considering entering summary judgment in favor of William Guice as to Counts I, II, and III. Plaintiff shall file a brief in opposition no later than June 6, 2014 if he opposes entry of judgment as to these Counts.

IT IS SO ORDERED

/s/ Paul S. Diamond

Paul S. Diamond, J.